

**MINUTES**  
**GREEN BAY PLAN COMMISSION**  
**Monday, January 27, 2014**  
**City Council Chambers, Room 203**  
**6:00 p.m.**

**MEMBERS PRESENT:** M. Conard–Chair, L. Queoff-Vice Chair, S. Bremer, T. Duckett  
Ald. J. Wiezbiskie, T. Gilbert, and J. Reck

**MEMBERS EXCUSED:**

**OTHERS PRESENT:** Bill Lockery, Paul Neumeyer, Nic Sparacio, Dan Lindstrom, Ald. Tim De Wane, Ald. Tom De Wane, Ald. Mark Steuer, Ald. David Boyce, Ald. Brian Danzinger, Ald. Jim Warner, Shannon Wienandt, Stephanie Bruss, Hope Voigt, Kimberly Insley, Michelle Axford, Shar Withbroe, Debi Nys, Nicole Jensky, Rebecca Leifker, Debby Tomczyk, Yoni Zvi, Spencer Deinard, Don Lee, Lisa Nelson, David Donian, Gordon Wilker, Willard Meyer, Cory Bialcik, David Bartlcofsky, Kim Meyers, Marta Mezo, Scott Neubauer, Kim Jankowski, Seth Kollmer, Al Buch, Troy Kapalczynski, Gregory Evrad, Brent Crabb, Judy Van Ryzin, Rachel Sowinski, Matthew LeMay, Amy Swedema, Scott Dempsey, Sarah Giffiths, Collin Coffelt, Jim Sanderson, Scott Van Roy, Kim Kline Dorchester, Lisa Hanson, Lisa Anderson, Molly Meyers, Shawn Hennessy, Robert Phillips, Sandra Ranck, Rhonda Sitnikau, Tim Carlson, Loral Virtues Wauters, Amy Kunderling, Amy Jo Timm, Christina Mercier, Peggy Crabb, Rebecca Haen, Hayden Groy, Anneliese Waggoner, Ian Griffiths, David Buck, Patty Mott, Jamie Breukel, Miriah Kelley, Joe Costello, Nancy Collitten

**APPROVAL OF MINUTES:**

Approval of the minutes from the January 13, 2014, Plan Commission meeting

A motion was made by S. Bremer and seconded by J. Wiezbiskie to approve the minutes from the January 13, 2014, Plan Commission meeting with the following underlined revisions on Pages 6, 7, and 12.

S. Bremer added to the Plan Commission minutes on Page 6, 3rd paragraph from the top, should have added to her statement; “existing building built for two-families only if two-family use is being reestablished.”

S. Bremer added to the Plan Commission minutes on Page 7, 4th paragraph from the top, should have added to her statement, “This is not just the matter of the way we do things, but whether we have articulated a general policy over time, and whether we can override the policy in some instances with structures that were already built.

L. Queoff stated that on Page 12, second paragraph from the top, it was M. Conard who stated would “answer “yes” to all 3 questions...”

Motion carried.

**PUBLIC HEARINGS:**

1. (CPA 14-02) A public hearing on a request to amend the Green Bay Smart Growth 2022 Comprehensive Plan by revising the map of Future Land Use (Figure 22-2). The request is to revise the future land use recommendation for properties generally located in the 1650 to 1700 Block of Shawano Avenue from Medium/High Density Housing (M/HDR) to Medium Intensity Retail Office Housing (MIROH) (Figure 22-2), submitted by Shannon Wienandt, House of Hope. (Ald. Danzinger, District 11)

M. Conard opened the public hearing and read the guidelines for the public hearing.

P. Neumeyer presented the staff report and recommendation. He stated the location is the 1650 to 1700 Block of Shawano Avenue, west of Military Avenue. He continued to state the petition is to amend the Green Bay Smart Growth 2022 Comprehensive Plan to Medium Intensity Office Housing (MIROH).

Shannon Wienandt – 4236 Pittco Road, Petitioner: S. Wienandt stated the House of Hope wishes to expand and build an addition to better serve 18-24 year old women and their children. The Green Bay Smart Growth 2022 Comprehensive Plan amendment and rezoning will allow House of Hope to expand their existing use on site.

S. Bremer asked if the House of Hope property is located on the east side of the subject area.

S. Wienandt stated yes.

Stephanie Bruss – 4504 Wyandot Trail: S. Bruss stated she is a board member for the House of Hope. They are requesting this change of land use so they can continue to help these young women get off the streets and make a new life for themselves.

Hope Voigt – 820 Windover Ct: H. Voigt stated she was the President of the House of Hope Board. She expressed her support for the request.

Kimberly Insley – 2507 Mary Jo Drive: K. Insley presented her situation and stated the House of Hope helped her and her son get started in their life. She stated she is now on the Board of Directors for the House of Hope.

M. Conrad called three times for any additional comments. Hearing none she closed the public hearing.

The following did not speak, but indicated they were in favor amending the request: Michelle Axford, 1946 Sandy Springs Road, De Pere; Shar Withbroe, 2704 Canyon Bluff; Debi Nys, 439 Delwiche Road; Nicole Jensky, 2522 Faldo Lane; Rebecca Leifker, 1513 Rockwell Road.

2. (CPA 14-01) A public hearing on a request to amend the Green Bay Smart Growth 2022 Comprehensive Plan by revising the map of Future Land Use (Figure 22-3). The request is to revise properties located in the 400-600 blocks of N Broadway Street, north of Kellogg Street (known as the Larsen Green area), from General Industrial to Commercial, for the purpose of potential construction of a Walmart store. The request is submitted by Manhard Consulting. (Ald. Boyce, District 7)

M. Conard stated she will be abstaining from the vote due to a potential conflict of interest for an immediate family member.

Vice Chair, L. Queoff, opened the public hearing and read the guidelines for the public hearing.

N. Sparacio presented an initial explanation of the project location, the nature of the request, and the guidelines for the public hearing process. The situation is complex because multiple layers of planning apply to the site. These include the Green Bay Smart Growth 2022 Comprehensive Plan, the Downtown Master Plan, the Larsen Green Master Plan, and the On Broadway Master Plan. N. Sparacio also stated the zoning must be consistent with the community's comprehensive plan, which is also complicated by multiple layers, including the base zoning and a Planned Unit Development (PUD) overlay. He stated that the item on the agenda is the future land use classification in the Green Bay Smart Growth 2022 Comprehensive Plan and not the zoning.

N. Sparacio stated that the request is to amend the subject property (the northern part of Larsen Green) from General Industrial future land use to Commercial future land use. Commercial future land use is defined as retail trade or services compatible with the General Commercial, Highway Commercial, and Shopping Center Commercial zoning districts. There are other business oriented land use classifications also available in the comprehensive plan, and these options will be explained in the full staff report. The proposed development by Walmart provides context to the discussion on future land use, and as shown in the preliminary plans, the development would be aligned with the requested Commercial classification.

He then stated that relevant testimony for the public hearing includes the potential physical, social, and economic impacts of the proposed future land use change. The relationship of the request to other existing city plans and policies is also relevant. Opinions on the business practices of Walmart are not relevant, and neither are very specific details of site design, like the types of trees in the landscaping or the style of light fixture in the parking lot. These are more appropriate to a discussion on the PUD zoning, which would be discussed at a later date if the development proceeds.

L. Queoff then called for testimony from those who are in favor of revising the Future Land Use from General Industrial to Commercial, beginning with the applicants:

Debby Tomczyk – Walmart: D. Tomczyk stated she is the attorney for the petitioner Walmart. The issue is fairly simple, they are asking for a change to the Green Bay Smart Growth 2022 Comprehensive Plan to Commercial to allow for a Walmart to be built. She provided several statistics and locations of their current Green Bay market. The following information was also provided:

1. City of Green Bay demographic data including population and incomes for households near the downtown.
2. Information on the FOOD DESERT designated by the USDA which is defined as poverty rate of 20% or higher or income less than 80% of the median income for the state or metro region. These areas contain a substantial number of low income residents with low access to a supermarket or a grocery store.
3. 2011 downtown survey results.

4. Market analysis information identifying a retail gap of \$9.3 million for groceries and almost \$62 million for general merchandise in the area near the downtown.
5. Financial benefits to On Broadway Inc. (OBI) and the City of Green Bay. Walmart has an option to purchase 15 acres and retire the 3 million dollar debt, guaranteed by the City of Green Bay. She stated that in their due diligence they identified costs of \$5.8 to \$6.2 million of site preparation and environmental remediation. Walmart is not going to ask the City to Green Bay to absorb the cost like other developers.
6. Estimated business construction values and annual tax dollars.
7. Information on employment.
8. Positive Economic Impact. Yes if you try to compete with Walmart head to head for pricing on the identical components, it will be a tough challenge. Walmart tries to be the lowest price retailers. But it does help bring additional customers to the area and smaller businesses will benefit from the increased retail traffic.

D. Tomczyk explained why they desire this location and how they designed the site and proposed store. They have worked with On Broadway, Inc. (OBI) staff and others in the community to shape the store to better relate to the neighbors. The site plan was presented and illustrated such features as pedestrian access, bus stop, and a small outlot for additional development. The proposal divides the parking into two areas and brings the building to the street to incorporate it into the urban fabric. They are not in the business to build stores that aren't successful and they think this store works while the models in Washington DC would not work. She provided a video of the site (a video of the site should be posted online). A preliminary traffic study was completed and additional studies would be needed. She stated the issue before the Plan Commission today is the Comprehensive Plan. The change should be from Industrial to Commercial. The current Larsen Green PUD (zoning) is consistent with commercial uses. The smart growth law now requires consistency, so an amendment is necessary. We are looking to serve the residents and businesses in the area today. Walmart also provided the following information:

1. Information regarding the 1997 design plan.
2. Plans and drawings for the 12/12/2013 AuthentCity Public Workshop.
3. Letters of support from several area businesses and a petition with 3500 signatures from area residents.
4. Staff comments from the January 2013.
5. Examples from other cities in Wisconsin in their urban regions. Their group feels this is a solid plan and a solid financial plan.

S. Bremer stated that several issues with the site, including historic resources, pedestrian access, and brownfield issues, were noted. S. Bremer then asked for the reasons why they think this store design will work and why this is the location where we need it. How is that a solid plan from their perspectives?

D. Tomczyk stated the density of the area is what provides them the opportunity to make the site successful.

S. Bremer asked what they thought about the increase of height for the building as a response from Planning Staff.

D. Tomczyk stated you normally don't see a big box being two stories.

Ald. J. Wiezbiskie questioned the employee numbers.

D. Tomczyk provided clarification.

Ald. J. Wiezbiskie asked for clarification regarding square footage of the store.

Yoni Zvi – Milwaukee: Y. Zvi provided information regarding the size of the store. They presented the 150,000 square foot space to OBI and entered under contract in July. They have never gone below 153,000-154,000 square foot space.

Ald. J. Wiezbiskie asked questions regarding the traffic study and the impacts of trains.

Don Lee – Milwaukee: D. Lee stated a preliminary traffic study did not specifically address train traffic but would work with the DOT regarding the impact to the area.

Ald. J. Wiezbiskie questioned the due diligence numbers and asked if this is something they do at each interested location.

D. Tomczyk stated yes they do this at each site.

Ald. J. Wiezbiskie asked if the costs they identified are typical.

D. Tomczyk stated the extent of the brownfield remediation is a bit higher than they expected.

David Donian-1863 Little Valley Court, De Pere: D. Donian stated he is the real estate broker for Larsen Green. The 4 acres bought by Titledown had environmental cleanup costs of over \$500,000. He stated the commercial zoning is better than the staff recommendation for downtown zoning. The site is unique with industrial and train tracks. He stated the current PUD does not work and that good planning dictates commercial buffers and industrial uses from other areas. The retail gap illustrates this is a good fit for this area. The downtown zoning would not allow for a grocery store.

Gordon Wilker - 1224 S. Greenwood Avenue: G. Wilker stated this site is suited for commercial if Walmart or other commercial uses take the site. He continued to state that everywhere he has been Walmart helped the region.

Willard Meyer - 3407 Bay Highlands Drive: W. Meyer stated that this site is a like a girl who wants a 5 carat diamond and we need to find someone who can afford the diamond. The real issue is finding someone who can create a site that can serve the City of Green Bay and the residents. Walmart has the deep pockets and has the ability to do this.

David Bartlcofsky - 159 N. Broadway: D. Bartlcofsky stated he purchased his property for the location. He is not completely against Walmart, but would prefer to see a better footprint that is

conducive to the area. The zoning should be amended for commercial regardless of the end user. He hopes the City of Green Bay will listen to the small business owners and hopes the area remains unique and to build it, but build it smaller.

The following did not speak, but indicated they were for amending the Comprehensive Plan for future land use from General Industrial to Commercial: Cory Bialcik, 2808 University Avenue and Judy Giese, 720 Elmore Street.

L. Queoff then called for testimony from those who are opposed to revising the Future Land Use from General Industrial to Commercial:

Kim Meyers – 828 Pine Street: K. Myers stated she owns a home in downtown Green Bay and is happy with the current changes to the downtown. She is afraid that Walmart is going against the current direction of the downtown resurgence. She is concerned that one store using 15 acres is limiting the use to one group. Several sites would better suit the area residents as a whole. The negative impact of this development could have devastating impacts that reverberates beyond downtown.

Marta Mezo – 159 N Maple Ave: M. Mezo stated she is the owner of Marza Luna, located at 237 N Broadway. She is part of the Broadway Business Alliance that was formed this past summer. She stated the district is made up of authentic businesses that define Green Bay. This site is their neighbor and doesn't fit how the district has shaped. She provided the list of 65 businesses that are not in support of the proposal. The biggest issue is the square footage.

Scott Neubauer – 1824 E Windsor Place, Milwaukee: S. Neubauer stated he currently lives in Milwaukee, but was born and raised in Green Bay. He is a musician in the district and loves the area. When Mayor Schmidt cuts the ribbon to open a new business, he sees how that is a positive for the area. You can't put a price on that quality.

N. Sparacio summarized the comments heard so far and asked that testimony already given not be repeated. It can simply be stated that you agree with what has been said already.

Kim Jankowski - 212 N Oakland Avenue: K. Jankowski stated she is a homeowner and representative of the Fort Howard Neighborhood Association. Their family has watched the district turnaround from a rundown area 20 years ago.

Seth Kollmer - 7136 East Short Court: S. Kollmer stated that the Broadway district is his favorite part of the City to show his family and friends. His concern would be the impact a Walmart would have on the Broadway District businesses.

Al Buch - 127 North Broadway: A. Buch stated he is a business owner and a founder of the Broadway District. What happens to the Walmart proposal if the plan is not approved?

N. Sparacio stated that he is prepared to answer that in the staff report after the Public Hearing.

A. Buch stated that he is appalled that a Main Street program district would support a Walmart.

N. Sparacio summarized the comments heard so far and asked that testimony already given not be repeated. It can simply be stated that you agree with what has been said already.

Troy Kapalczynski - 802 East Walnut: T. Kapalczynski stated he and his wife purchased their house while Broadway was on the uptick. He agreed that the size and scale of the building should be smaller and the footprint needs to be thought about for future use. If the number one retailer wants to build here in Green Bay then others should also be coming forward.

Gregory Evrard - 800 Chicago Street: G. Evrard stated he lives and works in and near the downtown area. He is concerned about how the train, boat, and everyday traffic will impact pedestrians if a Walmart moved into the area. He is also concerned that his business would go out-of-business.

Brent Crabb – 122 S Maple Avenue: B. Crabb stated he has been a homeowner in the district for 25 years. He has come to the conclusion that a Walmart Superstore in the downtown area has nothing of value to bring to the City. He is concerned that Walmart has not come to the table to compromise. He sees beauty in the older structures and not in the video provided.

Judy Van Ryzin - 921 S Jackson Street: J. Van Ryzin stated she feels that Walmart is inconsistent for the downtown Comp Plan and inconsistent with the vision of the downtown plan that was set ten years ago. Neither plan has addressed a store the size of a Walmart Supercenter. The Downtown Master Plan update will be going to the Plan Commission later this spring. The plan calls for a mix of uses. Blank walls and parking lots are the challenges in the area, and this proposal would only further compound the issue.

Stephanie Bruss – 4504 Wyandot Trail: S. Bruss stated she is a business owner at 201 N Broadway. She is not anti Walmart and this is a zoning issue. She was looking for an area to open her business that she transferred up from Chicago. Broadway was the other district that met her needs and requirements. She met with On Broadway, Inc. to ensure they had a shared vision. She stated that previous examples don't fit a historic, downtown, riverfront property. She doesn't support any large retailer.

N. Sparacio summarized the comments heard so far and asked that testimony already given not be repeated. It can simply be stated that you agree with what has been said already.

Rachel Sowinski - 123 North Broadway: R. Sowinski stated she is the owner of 125 N Broadway, The Gift Itself. She stated the district shouldn't be rezoned at this time. The Walmart proposal is inconsistent with the current plans and fears this would close out several businesses. It is unfortunate that On Broadway, Inc. purchased the property in 2007 with the recession to follow.

Matthew LeMay - 122 N. Broadway: M. LeMay stated he is a resident and a business owner (Acupuncture and Oriental Medicine) at 727 E. Walnut. He chose Green Bay for the location. He echoes most points that were already stated. If we allow for this development to happen we would cap the potential for future development.

Amy Swedema - 632 S. Jackson Street: A. Swedema stated she lived in Prairie-du-Chien where a Walmart closed down the Mom and Pop grocery store. They chose downtown Green Bay for the area.

Scott Dempsey – 520 S Roosevelt Street: S. Dempsey reiterated several of the comments from previous speakers. He hopes the zoning wouldn't allow for large scale suburban developments.

Sarah Giffiths - 1023 S Van Buren Street: S. Griffiths stated that she thinks this is a legacy issue and asks the Plan Commission to think about the mark they could leave on the Broadway District and Green Bay. She is concerned with the catalyst and the effects that Walmart could have on the area. The historic nature of Broadway is extremely important to Green Bay and feels that this is a continued and worthwhile investment.

Collin Coffelt - 3593 Kewaunee Road: C. Coffelt stated that diversity is the first thing we are taught when first entering the workforce. Why were there so many Walmart workers, and their dependents, on Wisconsin public safety nets? Why are the police calls so much higher in Green Bay compared to the national averages? He feels the liability exceeds the assets for Walmart.

N. Sparacio summarized the comments heard so far and asked that testimony already given not be repeated. He reminded the audience that opinions on the business practices of Walmart are not relevant to the topic at hand.

Jim Sanderson - 417 Cambridge Street: J. Sanderson stated he hears people talk about the Broadway District; he reminds them about what the East Side of the river had and was removed for the Downtown Mall. He was concerned that the historic buildings were being proposed to be torn down and the proposal does not fit with the district character. He questioned why Walmart hasn't fully investigated the Velp and Atkinson location that meets their needs.

Scott Van Roy - 908 Day Street: S. Van Roy stated he witnessed the Broadway district change since 1978. He has helped with remodeling businesses along Broadway and takes pride in that. The video is not Old Broadway and finds it appalling that Walmart probably spent more money on the video that he makes in a year.

Kim Kline Dorchester – 709 S Madison Street: K. Kline Dorchester thanked the committee for hearing the public. She loves the downtown area and feels the Walmart proposal does not fit the family character that this area has to offer. Her main objections are not with Walmart; but, with a big box retailer for the area. Walmart doesn't need to come off as the savior for a poor and starving area. The area residents find that deeply offensive. The renderings show large trees for the parking lots; however, is Walmart going to obstruct the view of their own store? It is her understanding that mixed uses will allow for continued growth in the downtown area.

Lisa Hanson – 708 Kellogg Street: L. Hanson stated she is a resident of Fort Howard and purchased a home three blocks from the proposed Walmart site. Being born and raised in the City, she knows what Broadway used to be and how far it has come. She does not want a Walmart just to get On Broadway, Inc. out from under a loan. Downtown needs to continue with the positive progress.

Lisa Anderson - 894 Elmore Street – L. Anderson stated her concern is for the overall layout and the size of the area. However, her biggest concern is for the safety of the children going to and from school. Kellogg Street will be the main access to get to and from Walmart. This is immediately adjacent to the school thus increasing the traffic.

Molly Meyers - 647 Nancy Avenue: M. Meyers expressed similar concerns as others regarding the increased traffic and the impact on the Farmer's Market and New Leaf Market.

Shawn Hennessy - 416 Arrowhead Drive: S. Hennessy stated he chose to live in Green Bay for the culture and the passion. If you want a great viable downtown in 20 years, it must be filled



with young professionals, families, and empty nesters, and it must meet their needs. Does the 20 year vision include a box store?

N. Sparacio summarized the comments heard so far and asked that testimony already given not be repeated.

Robert Phillips – 307 N Broadway: R. Phillips lives on Division Street and is the owner of Chefusion on Broadway. His biggest concern is the traffic that Walmart brings.

Sandra Ranck - 4336 Annabell Circle: S. Ranck stated she is a Realtor in Green Bay. She is really seeing an uptick in downtown interest and clients were coming to her. When Walmart, or any big box, came out of left field, her clients started to reverse their tone and stated they would not be interested in being downtown if Walmart was downtown. The downtown resurgence is bringing downtown life back to the region.

Rhonda Sitnikau – 1122 S. Jackson Street: R. Sitnikau stated she is presenting a petition, with 2,351 signatures, from citizens as a grassroots effort. The signed petitions are from door to door efforts and [change.org](http://change.org) petitions. She stated that this was a hard effort to accomplish and they didn't have a store to sit with a table to gather signatures.

Tim Carlson – 772 N Melcorn Circle: T. Carlson provided examples of historic mixed uses development. He does not believe this proposal is in the best interest of the City. He is looking to the Plan Commission to not change the plan.

The following did not speak, but indicated they were opposed to amending the Comprehensive Plan for future land use from General Industrial to Commercial: Amy Jo Timm, 107 S Oakland Avenue; Christina Mercier, 845 Bader Street; Peggy Crabb, 122 S Maple Avenue; Rebecca Haen, 1225 Shawano Avenue; Hayden Groy, 121 Greene Avenue; Anneliese Waggoner, 121 Greene Avenue; Ian Griffiths, 1023 S Van Buren; David Buck, 810 Hubbard Street; Patty Mott, 918 Catherine; Jamie Breukel, 720 Elmore Street; Miriah Kelley, 107 S. Oakland Avenue; Joe Costello, 1251 Grignon Street.

L. Queoff stated there were two people who wished to speak that were neutral.

Laural Virtues Wauters – 2619 E. Glacier Drive: L. Virtues Wauters stated her main concern is for the preservation of the historical character of the area. She has been working with the Brown County Historical Society, the Brown County Library, Oneida Nation, Menomonie Nation and many others to preserve the area.

Ald. J. Wiezbiskie stated this is very valuable historic property. He questioned L. Virtues Wauters as to what she was requesting the area be in relation to history.

L. Virtues Wauters stated keeping a piece of historic character in the parks, retail, and other areas.

L. Queoff asked whether anyone else would like to speak on this matter.

Amy Kunderling – 918 Hickory Avenue, De Pere: A. Kunderling asked why can't the people of Green Bay buy the land themselves like we bought the Green Bay Packers. We need to think outside of the box.

The following did not speak, but indicated they were neutral to amending the Comprehensive Plan for future land use from General Industrial to Commercial: Nancy Collitten, 708 12<sup>th</sup> Avenue.

L. Queoff asked two more times whether anyone else would like to speak on this matter. Hearing no further requests, L. Queoff closed the public hearing.

## **COMMUNICATIONS:**

### **NEW BUSINESS:**

3. (CPA 14-01) Discussion and action on a request to amend the Green Bay Smart Growth 2022 Comprehensive Plan by revising the map of Future Land Use (Figure 22-3). The request is to revise properties located in the 400-600 blocks of N Broadway Street, north of Kellogg Street (known as the Larsen Green area), from General Industrial to Commercial, for the purpose of potential construction of a Wal-Mart store. The request is submitted by Manhard Consulting. (Ald. Boyce, District 7)

Ald. J. Wiezbiskie asked for clarification from Planning Staff as to what the options are for the Committee. The Planning Staff has made a recommendation to change from Industrial to Downtown to allow mixed use, while the request from the applicant is to change from Industrial to Commercial.

N. Sparacio stated that all potential land use classifications contained in the Comprehensive Plan are available to the Plan Commission. They are not limited to these two choices.

Ald. J. Wiezbiskie asked for additional clarification that the motion that comes from the Plan Commission is what the Council would vote on.

N. Sparacio stated that the resolution would be prepared according to the Plan Commission motion, and that is what would be forwarded to the City Council. Both bodies must approve of a comprehensive plan amendment before it can take effect.

T. Duckett asked for an explanation of the recommended land use classification of Downtown.

N. Sparacio stated that the Comprehensive Plan establishes a relationship between future land use categories and potential zoning districts. The Downtown future land use classification is compatible with the Downtown zoning districts, which allows for a wide variety of land uses in a higher density, pedestrian friendly, urban setting.

L. Queoff returned to regular order of business and requested a presentation of the staff report.

N. Sparacio presented an overview of the staff report and recommendation. The four primary concerns of staff include Plan Consistency, Building Form, Financial Implications, and Tax Base Density. Staff does see direct conflict between the requested Commercial future land use designation and the objectives and policies of the comprehensive plan. The Urban Design element of the Comprehensive Plan specifically and clearly states that commercial uses should be mid-box size at the most in the Broadway District. This area is not intended for the big-box form of development. The proposed building and site design are also in conflict with the downtown design principals of the Land Use element of the Comprehensive Plan. As additional context, the requested Commercial future land use designation is also in conflict with the Downtown Master Plan, the Larsen Green Master Plan, and the On Broadway Master Plan for

the subject site. These Plans identify this area as a mixed-use, higher density, multi-story, pedestrian-friendly environment.

N. Sparacio stated that the requested Commercial future land use designation is inconsistent with the overall layout of the future land use map. The requested classification is found along the city's automobile oriented corridors like Military Avenue and University Avenue. Commercial uses in the areas around Larsen Green are classified as Downtown or High Intensity mixed-use. A change to Downtown at this location is consistent with the rest of the future land use map.

N. Sparacio stated that the form of the building is of primary concern to the Planning Department. Staff is willing to work with Walmart if they propose a building form that fits in with the fabric of the Broadway district. Specific concerns include the scale and size of the building, the shape of the building, the single use and single story nature of the building, the vast parking lots, and the loss of potentially historic buildings. Staff showed pictures of smaller neighborhood market stores developed by Walmart and mixed-use, multi-story buildings being constructed by Walmart in other communities. Walmart has also constructed stores with structured parking.

N. Sparacio explained that the Planning Department is very concerned with the financial implications of the site. The city's potential responsibility to take over the \$3 million loan, the potential environmental costs of the site, and the jobs and tax base potentially created by Walmart are all important considerations. However, the Planning Department believes that these potential short term costs are outweighed by the lost potential of the site if the proposed development design is permitted to go forward. Compared to the tax base density in the rest of the downtown and the core of the Broadway district, this site has the potential to generate twice as much property value. The proposed development consumes too much land.

N. Sparacio summarized that the primary question for the Plan Commission is whether the subject area is an extension of the downtown or more of an automobile oriented commercial corridor like Velp Avenue or Mason Street. The balance of the Comprehensive Plan says that the subject site is to be an extension of the downtown and Broadway.

Therefore, staff's recommendation is to deny the request to amend the Green Bay Smart Growth 2022 Comprehensive Plan by revising the future land use classification for properties located in the 400-600 blocks of N Broadway Street, north of Kellogg Street (known as the Larsen Green area), from General Industrial to Commercial, and to approve an amendment that revises the future land use classification for the subject site from General Industrial to Downtown. Additionally, to revise the future land use classification for lands north of the subject site to Other Public or Semi-Public, lands south of the subject site to Dousman Street to Downtown, and lands southeast of the subject site owned by the City of Green Bay to Parks. N. Sparacio explained these recommendations on a map of the area and noted that the additional changes are recommended in order to reflect existing land uses.

Ald. J. Wiezbiskie asked whether the recommendation of Downtown would prohibit Walmart from proceeding. What are Walmart's options at this point?

N. Sparacio stated Walmart has a purchase agreement for the site. Walmart must decide whether to exercise its options under that agreement based in part on this decision. While a decision here neither approves nor disapproves of Walmart's plans, the Plan Commission can send a message as to how the site should be developed. Changing it to Commercial would send the message that the city should accept the development generally as proposed. Going to the Downtown future land use classification would send the message that the city is looking for

a mixed-use, higher density development that fits in with the Broadway District. The Comprehensive Plan is only a guide to the zoning and other implementation tools, so the most that the Plan Commission can do is send a message as to the intended physical form of future development on the subject site.

Ald. Tom De Wane thanked the audience. He stated he tried telling staff that the time for public comments should have come after the next step as this is clearly different than what they are talking about. After the property was purchased, half of the Larsen Governing Board then marketed the land. He went to the Mayor with concerns that nothing was happening with the Larsen Green area after the City purchased the land. If Walmart had not come along, this would have been changed from Industrial to Commercial with no questions asked. This will not be able to happen if the Plan Commission agrees with staff and changes it to Downtown. With the changing from Industrial to Commercial comes limitations and allowing only certain types of businesses into the area, which will make the land harder to sell.

S. Bremer asked for clarification regarding the differences between what Commercial would allow that Downtown would not. She asked how staff would define “medium box” which the Downtown would allow.

N. Sparacio provided clarification. By amending the Comprehensive Plan, it would not stop Walmart from proceeding, but it could encourage them to fit their store into the parameters of the Downtown land use classification. A mid-box could be considered anywhere from 25,000 to 70,000 square foot range. Neither the Downtown future land use classification nor the Downtown Zoning districts dictate a maximum size for buildings. But the Downtown zoning district achieves this indirectly through a minimum Floor Area Ratio (FAR), maximum setback distances, and other standards.

T. Duckett asked how the FAR would impact the project. He asked if changing the Larsen Green area from Commercial to Downtown will limit space of a store owner which would lead to making less money. Are we limiting who can and can't build?

N. Sparacio stated that staff and the applicants could look at different ways to accommodate for their store to fit within the Downtown classification. Reshaping of the footprint of the building or parcels is one option, while another would be constructing a multi-story and mixed-use building. Staff was told by the applicants that making any of these changes to the design was not an option. This was not on the table for discussion, so these sorts of creative options have not been made available by Walmart. The Plan Commission would be limiting what can be constructed in the Broadway area. The message sent would be that the scale, form, and design of the development should fit in with the Broadway District.

Ald. J. Wiezbiskie summarized his comments. There are better uses for our waterfront properties other than parking lots. By amending to Downtown, it will send a message to the bigger box store that we are not interested in a store of that magnitude at this location. It would be an idea to bring more historical value to the Broadway area as well as our downtown.

S. Bremer asked Ald. J. Wiezbiskie if he was in favor of what the Planning Staff was recommending for Downtown. He stated that he was. She wants to concur to what Ald. J. Wiezbiskie stated. She does so with a very deep sense of the risk she is asking the City to take. We are looking at short term benefits if we go with the Walmart as opposed to long term potential. She is in favor of the Downtown recommendation from staff, including the recommendation to include the properties both north and south of the proposed site.

Ald. Tom De Wane stated there is still some confusion on the Committee. He stated this is not a big box we are talking about. We are looking at changing the future land use from Industrial to Commercial.

S. Bremer stated by changing it to Commercial this will allow a big box to come in, and she does not want a big box on Broadway. We are looking for an extension of the creative energy that has been driving the Broadway District so wonderfully for the past 15 years.

J. Reck thanked everyone for coming and speaking tonight and appreciates and respects the opinions. The plan that the applicant has put before us, he believes, is not in the best interest of downtown. He too agrees there should not be a big box allowed downtown.

Ald. M. Steuer stated this is a passionate issue. Being on the Historical Society, it would be nice to try and rehabilitate the Larsen Green Buildings into something functional and add historic value to the area.

T. Gilbert stated that this area is not a fit for a big box. He would be thrilled if Walmart went and built a Superstore in the area of Huron Road and East Mason. Therefore, he is in favor of the Downtown designation.

Hearing no additional questions, L. Queoff called for a motion.

A motion was made by S. Bremer and seconded by Ald. J. Wiezbiskie to deny the request to amend the Green Bay Smart Growth 2022 Comprehensive Plan by revising the map of Future Land Use for properties located in the 400-600 blocks of N Broadway Street, north of Kellogg Street (known as the Larsen Green area), from General Industrial to Commercial, and to approve an amendment that revises the future land use classification for the subject site from General Industrial to Downtown. Additionally, to revise the future land use classification for lands north of the subject site to Other Public or Semi-Public, lands south of the subject site to Dousman Street to Downtown, and lands southeast of the subject site owned by the City of Green Bay to Parks. Motion carried (Opposed T. Duckett).

4. (CPA 14-02) Discussion and action on a request to amend the Green Bay Smart Growth 2022 Comprehensive Plan to revise properties generally located in the 1650 to 1700 Block of Shawano Avenue from Medium/High Density Housing (M/HDR) to Medium Intensity Retail Office Housing (MIROH) (Figure 22-2), submitted by Shannon Wienandt, House of Hope. (Ald. Danzinger, District 11)

P. Neumeyer presented the staff report and recommendation. This request will allow for a homeless shelter, located at 1660 Christiana Street, to pursue a rezoning and become compliant with their current nonconforming use. With the change from Medium/High Density Housing to Medium Intensity Retail Office Housing (MIROH) multi-family uses will continue to be permitted in addition to commercial types or a mix of commercial and residential uses allowing for higher density developments. Staff is recommending approval.

S. Bremer asked if the proposed recommendations will keep adjacent properties from being non-conforming.

P. Neumeyer stated with the change there should be no issues with the other properties staying compliant.

A motion was made by Ald. J. Wiezbiskie and seconded by L. Queoff to approve a request to amend the Green Bay Smart Growth 2022 Comprehensive Plan to revise properties generally located in the 1650 to 1700 Block of Shawano Avenue from Medium/High Density Housing (M/HDR) to Medium Intensity Retail Office Housing (MIROH). Motion carried.

**OTHER:**

Director's Update on Council Actions

Bill Lockery had nothing to report at this time.

**SUBMITTED PETITIONS: (for informational purposes only)**

(ZP 14-01) A request for a Conditional Use Permit (CUP) to permit a solar array of panels located in the 3500 Block of Church Road, submitted by Jesse Michalski, Eland Electric, on behalf of Sisters of St. Francis of the Holy Cross, property owner (Ald. Wiezbiskie, District 1)

A motion was made by J. Wiezbiskie and seconded by L. Queoff to adjourn the meeting. Motion carried.

Meeting adjourned at 10:52 p.m.